

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

**DO NOT WRITE IN THIS SPACE**

Case  
**13-CA-135932**

Date Filed  
**9/3/2014**

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT**

a Name of Employer (1) 5200 S. Lake Park Avenue McDonald's and (2) McDonald's USA, LLC, joint employers		b Tel. No. (1) 773-288-2161 (2) 800-244-6227
		c Cell No.
		f Fax No.
d Address (Street, city, state, and ZIP code) (1) 5200 S. Lake Park Avenue, Chicago, IL 60615 (2) 2111 McDonald's Drive, Oak Park, IL 60523	e Employer Representative	g e-Mail
		h Number of workers employed (1) Approx. 50; (2) 100,000+
i Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j Identify principal product or service Fast Food	

k The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) \_\_\_\_\_ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

**2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

On or around (b) (6), (b) (7)(C) 2014, the joint employers terminated (b) (6), (b) (7)(C) in retaliation for (b) (6), having engaged in protected, concerted activities and in an effort to discourage other employees from engaging in such activities.

**3. Full name of party filing charge (if labor organization, give full name, including local name and number)**  
Workers Organizing Committee of Chicago

4a Address (Street and number, city, state, and ZIP code) 850 W. Jackson, Suite 275 Chicago, IL 60607	4b Tel. No. (312) 520-1424
	4c Cell No.
	4d Fax No. (312) 243-4731
	4e e-Mail

**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**

**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By   
(signature of representative or person making charge)

Barry M. Bennett, Lawyer  
(Print/type name and title or office, if any)

Dowd Bloch Bennett & Cervone  
Address 8 South Michigan Avenue, 19th Floor, Chicago, IL 60603

9/3/14  
(date)

Tel. No (312) 372-1361  
Office, if any, Cell No.  
Fax No. (312) 372-6599  
e-Mail  
bbennett@dbb-law.com

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website:  
[www.nlr.gov](http://www.nlr.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341



Download  
NLRB  
Mobile App

September 4, 2014

McDonald's  
5220 S. Lake Park Avenue  
Chicago, IL 60615

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney HELEN I. GUTIERREZ whose telephone number is (312)353-7584 and whose e-mail address is [helen.gutierrez@nlrb.gov](mailto:helen.gutierrez@nlrb.gov). If this Board agent is not available, you may contact Supervisory Attorney JEANETTE C. SCHRAND whose telephone number is (312)353-7589.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by September 17, 2014. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sung', with a long horizontal line extending to the right.

PETER SUNG OHR  
Regional Director

bz

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: McDonald's Corp  
2111 McDonald's Dr.  
Oak Brook, IL 60523

Revised 3/21/2011

**NATIONAL LABOR RELATIONS BOARD  
QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

**CASE NAME**

5200 S. Lake Park Avenue McDonald's and McDonald's USA, LLC joint employers

**CASE NUMBER**

13-CA-135932

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**
☐ CORPORATION   ☐ LLC   ☐ LLP   ☐ PARTNERSHIP   ☐ SOLE PROPRIETORSHIP   ☐ OTHER (Specify )
**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR   ☐ 12 MONTHS   or   ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000   ☐ \$250,000   ☐ \$500,000   ☐ \$1,000,000 or more   If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES   ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**5200 S.LAKE PARK AVENUE MCDONALD'S  
AND MCDONALD'S USA, LLC JOINT  
EMPLOYERS**

Charged Party

and

**WORKERS ORGANIZING COMMITTEE OF  
CHICAGO**

Charging Party

**Case 13-CA-135932**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on September 4, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

McDonald's  
5220 S. Lake Park Avenue  
Chicago, IL 60615

McDonald's Corp  
2111 McDonald's Dr.  
Oak Brook, IL 60523

September 4, 2014

\_\_\_\_\_  
Date

Brendan Zarling, Designated Agent of  
NLRB

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341



Download  
NLRB  
Mobile App

September 4, 2014

Workers Organizing Committee of Chicago  
850 W Jackson  
Ste 275  
Chicago, IL 60607

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

Dear Sir or Madam:

The charge that you filed in this case on September 03, 2014 has been docketed as case number 13-CA-135932. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney HELEN I. GUTIERREZ whose telephone number is (312)353-7584 and whose e-mail address is [helen.gutierrez@nlrb.gov](mailto:helen.gutierrez@nlrb.gov). If this Board agent is not available, you may contact Supervisory Attorney JEANETTE C. SCHRAND whose telephone number is (312)353-7589.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website [www.nlr.gov](http://www.nlr.gov) or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to be "P. Sung", with a long horizontal flourish extending to the right.

PETER SUNG OHR  
Regional Director

bz

Enclosures:

cc: Barry M. Bennett, ESQ., Attorney at Law  
Dowd, Bloch, Bennett & Cervone  
8 S Michigan Ave  
Fl 19  
Chicago, IL 60603-3315

RUN TIME: (b) (6), (b) (7)(C)

PAGE: 1

EMPLOYEE ACTION FORM

EMPLOYEE NAME: (b) (6), (b) (7)(C)

ID: ---

DATE: (b) (6), (b) (7)(C) 11

COMMENDATION

CODE #	CODE #
01 STAYED LATE	07 HELPED A TRAINEE
02 CAME IN EARLY	08 HELPED A CUSTOMER
03 CAME IN ON DAY OFF	09 EXCEPTIONAL PERFORMANCE
04 VOLUNTEERED FOR EXTRA DUTY	10 HELPED ACHIEVE GOOD QSC GRADES
05 ASSISTED A MANAGER	11 EMPLOYEE OF THE MONTH
06 ASSISTED ANOTHER CREW PERSON	99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #	CODE #
01 POOR PERFORMANCE	09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
02 INCOMPLETE UNIFORM	10 UNCOOPERATIVE
03 POOR APPEARANCE/HYGIENE	11 VIOLATION OF FOOD POLICY
04 INTERFERENCE WITH EMPLOYEES	12 INSUBORDINATION
05 REGISTER SHORTAGE/VIOLATION	13 USE/POSSESSION OF DRUGS/ALCOHOL
06 UNEXCUSED TARDINESS	<u>Y</u> 14 THEFT OF MONEY/MERCHANDISE
07 UNEXCUSED ABSENCE	15 SECURITY POLICY VIOLATION
08 POOR CUSTOMER RELATIONS	99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C) WAS CAUGHT STEALING TIME ON (b) (6), (b) (7)(C) /14 FOR THIS REASON (b) (6), (b) (7)(C) IS BEING TERMINATED

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

OWNER OPERATOR

ID: ---



RUN TIME: (b) (6), (b) (7)(C)

TIME PUNCH SUMMARY REPORT  
GROUP ORDERED BY NAME  
FROM (b) (6), (b) (7)(C) 14 TO (b) (6), (b) (7)(C) 14

NAME	ID#	DATE	SHIFT		PAID OUT	BREAK IN	PAID	
			IN	OUT.			HH:MM	HOURS
<hr/>								
		(b) (6), (b) (7)(C) 14	(b) (6), (b) (7)(C)				3:10	3.17
		14					5:21	5.35
		14					2:17	2.28
		14					4:21	4.35
		14					1:53	1.88
<hr/>							123:06	123.10
<hr/>								
<hr/>							123:06	123.10

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Page 2

National Labor Relations Board  
**NOTICE OF DESIGNATION OF ATTORNEY  
OR REPRESENTATIVE**

5200 S Lake Park Ave. McDonald's  
and McDonald's USA, LLC, Joint  
Employers

changed party  
and

Workers Organizing Committee of Chicago  
change party

CASE NO. 13-CA-135932

To: Regional Director,

(b) (6), (b) (7)(C), (b) (7)(D)

I, \_\_\_\_\_, the undersigned, hereby designate  
\_\_\_\_\_, whose name and address appear below,  
as my attorney/representative in this proceeding. For Affidavit purposes only.

This designation shall remain valid until a written revocation of it, signed by me, is filed with the Board.

FULL NAME OF WITNESS

(b) (6), (b) (7)(C), (b) (7)(D)

SIGNATURE OF WITNESS (please sign in ink)

(b) (6), (b) (7)(C), (b) (7)(D)

DATE

1/4

NAME OF ATTORNEY/REPRESENTATIVE

Barry Bennett

☒ REPRESENTATIVE IS AN ATTORNEY

MAILING ADDRESS

DBBC  
85 Michigan 19th Fl.  
Chicago IL 60603

EMAIL ADDRESS

bbennett@dbb-law.com

TELEPHONE NUMBER

312 372 1361

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**FIRST AMENDED CHARGE AGAINST EMPLOYER**

FORM EXEMPT UNDER 44 U.S.C. 3512


**DO NOT WRITE IN THIS SPACE**

Case  
**13-CA-135932**

Date Filed  
**9/18/14**

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer (1) 5200 S. Lake Park Avenue McDonald's and (2) McDonald's USA, LLC, joint employers	b. Tel. No. (1) 773-288-2161 (2) 800-244-6227
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) (1) 5200 S. Lake Park Avenue, Chicago, IL 60615 (2) 2111 McDonald's Drive, Oak Park, IL 60523	e. Employer Representative
	g. e-Mail
	h. Number of workers employed (1) Approx. 50; (2) 100,000+
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Fast Food
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Please see attached.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Workers Organizing Committee of Chicago	
4a. Address (Street and number, city, state, and ZIP code) 850 W. Jackson, Suite 275 Chicago, IL 60607	4b. Tel. No. (312) 520-1424
	4c. Cell No.
	4d. Fax No. (312) 243-4731
	4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By  (signature of representative or person making charge)	Barry M. Bennett, Lawyer (Print/type name and title or office, if any)
Address Dowd Bloch Bennett & Cervone 8 South Michigan Avenue, 19th Floor, Chicago, IL 60603	
Tel. No. (312) 372-1361	
Office, if any, Cell No.	
Fax No. (312) 372-6599	
e-Mail bbennett@dbb-law.com	
9/18/14 (date)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



Attachment to First Amended Charge  
Against 5200 S. Lake Park Avenue McDonald's  
and McDonald's USA, LLC, joint employers

Case 13-CA-135932

Basis of the Charge

1. On or around (b) (6), (b) (7)(C), 2014, the joint employers terminated (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) support for the Union and for (b) (6), (b) (7)(C) having engaged in other protected, concerted activities, and in an effort to discourage other employees from supporting the Union and engaging in such activities.
2. Within the last six months, the joint employers discriminatorily disciplined (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) by imposing a suspension rather than a verbal or written warning in accord with what had been an unwritten policy of applying progressive discipline, doing so in retaliation for (b) (6), (b) (7)(C) support for the Union and (b) (6), (b) (7)(C) participation in protected, concerted activities and in an effort to discourage (b) (6), (b) (7)(C) and other employees from supporting the Union and engaging in such activities.
3. Within the last six months, the joint employers unlawfully interrogated employees about Union membership and support.
4. Within the last six months, the joint employers unlawfully threatened employees with discharge and other forms of retaliation based on support for the Union and participation in protected, concerted activities.
5. Within the last six months, the joint employers unlawfully asserted that support for the Union was futile.
6. Within the last six months, the joint employers unlawfully discriminated against Union supporters among the work force by singling them out for denigrating and abusive statements.
7. Within the last six months, the joint employers unlawfully prohibited employees from discussing matters related to the Union, notwithstanding its policy of allowing employees to discuss all other subjects.
8. Within the last six months, the joint employers denied raises to employees in retaliation for their support for the Union and their participation in protected, concerted activities and unlawfully informed employees it was doing so because

of their support for the Union and their participation in protected, concerted activities.

9. Within the last six months, the joint employers established new and burdensome work rules in the form of a prohibition under threat of discharge on punching in early, doing so in retaliation for employee support for the Union and employee involvement in protected, concerted activities, and in an effort to discourage Union support and participation in such activities.
10. Within the last six months, the joint employers unlawfully reduced benefits to employees in the form of parking privileges, doing so in retaliation for their support for the Union and their participation in protected, concerted activities, and in an effort to discourage Union support and participation in such activities.
11. Within the last six months, the joint employers unlawfully reduced benefits to employees in the form of denial of what had been a policy of providing free meals, doing so in retaliation for their support for the Union and their participation in protected, concerted activities, and in an effort to discourage Union support and participation in such activities.
12. Within the last six months, the joint employers retaliated against employees because of their support for the Union and their participation in protected, concerted activities by ending what had been an established practice of providing employees with a seven-minute grace period for punching in, doing so because of their support for the Union and their participation in protected, concerted activity.
13. Within the last six months, the joint employers discriminatorily disciplined (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) Union support and participation in protected, concerted activities by issuing a suspension to (b) (6), (b) (7)(C) based on the revised rule for punching in, doing so in retaliation for (b) (6), (b) (7)(C) support for the Union and (b) (6), (b) (7)(C) participation in protected, concerted activities, and in an effort to discourage (b) (6), (b) (7)(C) and other employees from supporting the Union and engaging in protected, concerted activities.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341



Download  
NLRB  
Mobile App

September 18, 2014

McDonald's  
5220 S. Lake Park Avenue  
Chicago, IL 60615

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

Dear Sir or Madam:

Enclosed is a copy of the first amended charge that has been filed in this case.

**Investigator:** This charge is being investigated by Field Attorney Helen I. Gutierrez whose telephone number is (312)353-7584 and e-mail address is [helen.gutierrez@nlrb.gov](mailto:helen.gutierrez@nlrb.gov). If the agent is not available, you may contact Supervisory Attorney Jeanette C. Schrand whose telephone number is (312)353-7589.

**Presentation of Your Evidence:** As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

**Procedures:** Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

Peter Sung Ohr  
Regional Director

dg  
Enclosure:  
Copy of first amended charge

**cc: Doreen S. Davis, Esq.  
Jones Day  
222 East 41st Street  
New York, NY 10017-6702**

**Michael S. Ferrell, Attorney At Law  
Jones Day  
77 West Wacker Drive, Suite 3500  
Chicago, IL 60601-1692**

**Joshua Grossman, Attorney  
Jones Day  
222 E. 41<sup>st</sup> Street  
New York, NY 10017-6702**

**Andrew G. Madsen, Esq.  
Jones Day  
77 W. Wacker Drive, Suite 3500  
Chicago, IL 60601-1701**

**McDonald's Corp  
2111 McDonald's Dr.  
Oak Brook, IL 60523**

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**MCDONALD'S**

**Charged Party**

**and**

**WORKERS ORGANIZING COMMITTEE  
OF CHICAGO**

**Charging Party**

**Case 13-CA-135932**

**AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST  
EMPLOYER**

**I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on September 18, 2014, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:**

**Doreen S. Davis, Esq.  
Jones Day  
222 East 41st Street  
New York, NY 10017-6702**

**Michael S. Ferrell, Attorney At Law  
Jones Day  
77 West Wacker Drive, Suite 3500  
Chicago, IL 60601-1692**

**Joshua Grossman, Attorney  
Jones Day  
222 E 41<sup>st</sup> Street  
New York, NY 10017-6702**



**Andrew G. Madsen, Esq.**  
**Jones Day**  
**77 W. Wacker Drive, Suite 3500**  
**Chicago, IL 60601-1701**

**McDonald's**  
**5220 S. Lake Park Avenue**  
**Chicago, IL 60615**

**McDonald's Corp**  
**2111 McDonald's Dr.**  
**Oak Brook, IL 60523**

**September 18, 2014**

---

**Date**

**Denise Gatsoudis, Designated**  
**Agent of NLRB**

---

**Name**

---

**Signature**



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341



Download  
NLRB  
Mobile App

September 18, 2014

Workers Organizing Committee of Chicago  
850 W Jackson, Ste 275  
Chicago, IL 60607

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

Dear Sir or Madam:

We have docketed the first amended charge that you filed in this case.

**Investigator:** This charge is being investigated by Field Attorney Helen I. Gutierrez whose telephone number is (312)353-7584 and e-mail address is [helen.gutierrez@nlrb.gov](mailto:helen.gutierrez@nlrb.gov). If the agent is not available, you may contact Supervisory Attorney Jeanette C. Schrand whose telephone number is (312)353-7589.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

**Procedures:** Your right to representation, the means of presenting evidence, and a description of our procedures, including how to submit documents, was described in the letter sent to you with the original charge in this matter. If you have any questions, please contact the Board agent.

Very truly yours,

Peter Sung Ohr  
Regional Director

dg  
Enclosure:  
Copy of first amended charge

cc: Barry M. Bennett, Esq., Attorney at Law  
Dowd, Bloch, Bennett & Cervone  
8 S Michigan Ave., Fl 19  
Chicago, IL 60603-3315

**From:** [Barry Bennett](#)  
**To:** [Gutierrez, Helen I.](#)  
**Subject:** WOCC/McD  
**Date:** Wednesday, September 24, 2014 3:10:30 PM  
**Attachments:** [201409241407.pdf](#)

---

Helen,

I'm attaching the document from (b) (6), (b) (7)(C) personnel file that I called about.

Thanks.

Barry

--

**BARRY M. BENNETT**  
**DOWD, BLOCH, BENNETT & CERVONE**  
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603  
Phone 312.372.1361 | Fax 312.372.6599

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify Dowd, Bloch, Bennett & Cervone ([office@dbb-law.com](mailto:office@dbb-law.com)). Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Dowd, Bloch, Bennett & Cervone. Finally, the recipient should check this email and any attachments for the presence of viruses. Dowd, Bloch, Bennett & Cervone accepts no liability for any damage caused by any virus transmitted by this email.

RUN TIME: (b) (6), (b) (7)(C)

EMPLOYEE ACTION FORM

EMPLOYEE NAME: (b) (6), (b) (7)(C)

ID: ---

DATE: (b) (6), (b) (7)(C) 1

COMMENDATION

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| CODE #                            | CODE #                              |
| - 01 STAYED LATE                  | - 07 HELPED A TRAINEE               |
| - 02 CAME IN EARLY                | - 08 HELPED A CUSTOMER              |
| - 03 CAME IN ON DAY OFF           | - 09 EXCEPTIONAL PERFORMANCE        |
| - 04 VOLUNTEERED FOR EXTRA DUTY   | - 10 HELPED ACHIEVE GOOD QSC GRADES |
| - 05 ASSISTED A MANAGER           | - 11 EMPLOYEE OF THE MONTH          |
| - 06 ASSISTED ANOTHER CREW PERSON | - 99 OTHER (EXPLANATION REQUIRED)   |

REPRIMAND/DISCIPLINE

- |                                  |  |
|----------------------------------|--|
| CODE #                           | CODE #                                 |
| - 01 POOR PERFORMANCE            | - 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING |
| - 02 INCOMPLETE UNIFORM          | - 10 UNCOOPERATIVE                     |
| - 03 POOR APPEARANCE/HYGIENE     | - 11 VIOLATION OF FOOD POLICY          |
| - 04 INTERFERENCE WITH EMPLOYEES | - 12 INSUBORDINATION                   |
| - 05 REGISTER SHORTAGE/VIOLATION | - 13 USE/POSSESSION OF DRUGS/ALCOHOL   |
| - 06 UNEXCUSED TARDINESS         | - 14 THEFT OF MONEY/MERCHANDISE        |
| - 07 UNEXCUSED ABSENCE           | - 15 SECURITY POLICY VIOLATION         |
| - 08 POOR CUSTOMER RELATIONS     | - 99 OTHER (EXPLANATION REQUIRED)      |

EXPLANATION

(b) (6), (b) (7)(C) WALKED IN AND PUNCHED IN. (b) (6), (b) (7)(C) WAS NOT DRESS FOR WORK (b) (6), (b) (7)(C) SHIRT WAS UNBUTTON, (b) (6), (b) (7)(C) HAD A (b) (6), (b) (7)(C) ON (b) (6), (b) (7)(C) HEAD, AND (b) (6), (b) (7)(C) HAD A BAG (b) (6), (b) (7)(C) ON (b) (6), (b) (7)(C) ARI (b) (6), (b) (7)(C) KNOWS THAT (b) (6), (b) (7)(C) SHOULD NOT PUNCH IN UNTIL (b) (6), (b) (7)(C) IS FULLY DRESS FOR WORK. THIS IS CONSIDER STEALING TIME.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)  
SSN: (b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE \_\_\_\_\_  
MANAGER SIGNATURE \_\_\_\_\_  
SUPERVISOR SIGNATURE (b) (6), (b) (7)(C) ID: (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341

Agent's Direct Dial: (312)353-7584

October 1, 2014

Doreen S. Davis, Attorney  
Jones Day  
222 East 41st Street  
New York, NY 10017-6702

Gina M. LiVolsi, ESQ.  
LaPointe Law, P.C.  
1200 Shermer Road  
Suite 310  
Northbrook, IL 60062

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

I have attempted to reach you without success so I am writing this letter to advise you that it is now necessary for me to take evidence from your client regarding the allegations raised in the investigation of the above-captioned matter. As explained below, I am requesting to take affidavits on or before [ENTER DATE] with regard to certain allegations in this case.

**Allegations:** The allegations for which I am seeking your evidence are as follows.  
[Describe specific allegations for which you seek charged party evidence.]

**Board Affidavits:** I am requesting to take affidavits from [INSERT NAME(S) AND TITLE(S) OF INDIVIDUALS TO PROVIDE AFFIDAVITS] and any other individuals you believe have information relevant to the investigation of the above-captioned matter. Please be advised that the failure to present representatives who would appear to have information relevant to the investigation of this matter, for the purposes of my taking sworn statements from them, constitutes less than complete cooperation in the investigation of the charge. Please contact me by [insert date] to schedule these affidavits.

**Documents:** Please provide the following documents, along with any and all other evidence you deem to be relevant to the case:

October 1, 2014

1.

**Date for Submitting Evidence:** To resolve this matter as expeditiously as possible, you must provide your evidence and position in this matter by **ENTER DATE for presenting all evidence**. If you are willing to allow me to take affidavits, please contact me by **[ENTER date for contacting about affidavits]** to schedule a time to take affidavits. Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to **www.nlr.gov**, select **E-File Documents**, enter the **NLRB case number**, and follow the detailed instructions. If I have not received all your evidence by the due date or spoken with you and agreed to another date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Please contact me at your earliest convenience by telephone, (312)353-7584, or e-mail, [helen.gutierrez@nlrb.gov](mailto:helen.gutierrez@nlrb.gov), so that we can discuss how you would like to provide evidence and I can answer any questions you have with regard to the issues in this matter.

Very truly yours,

HELEN I. GUTIERREZ  
Field Attorney



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341

Agent's Direct Dial: (312)353-7584

October 3, 2014

Gina M. LiVolsi, ESQ.  
LaPointe Law, P.C.  
1200 Shermer Road  
Suite 310  
Northbrook, IL 60062

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

As you know, I am investigating the above referenced charge. I am writing you to advise you that it is now necessary for me to take evidence from your client regarding the allegations raised in the investigation of the above-captioned matter. As explained below, I am requesting to take affidavits on or before October 8, 2014 with regard to certain allegations in this case.

**Allegations:** The allegations for which I am seeking your evidence are listed in the Attachment to First Amended Charge Against Employer. For your convenience, I have attached a copy of the First Amended Charge Against Employer as well as a copy of the letter notifying your client that a First Amended Charge Against Employer had been filed.

**Board Affidavits:** I am requesting to take affidavits from (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) and any other individuals you believe have information relevant to the investigation of the above-captioned matter. Please be advised that the failure to present representatives who would appear to have information relevant to the investigation of this matter, for the purposes of my taking sworn statements from them, constitutes less than complete cooperation in the investigation of the charge. Please contact me by Monday, October 6, 2014 to schedule these affidavits.

**Documents:** Please provide the following documents, along with any and all other evidence you deem to be relevant to the case:

1. The complete personnel file of (b) (6), (b) (7)(C) excluding medical records.

2. The complete disciplinary file of (b) (6), (b) (7)(C).
3. Copies of all documents and communications referencing the (b) (6), (b) (7)(C) 2014 suspension of (b) (6), (b) (7)(C), including all document relied on by the employer in issuing said suspension.
4. A list of all employees that have been suspend for punching in late since (b) (6), 2012 to the present.
5. Copies of all documents and communications referencing the termination of (b) (6), (b) (7)(C), including all document relied on by the employer in making its decision to terminate (b) (6), (b) (7)(C).
6. A list of all employees that have been terminated for similar reasons as (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C) 2012 to the present.
7. Copies of all employer work rules in effect from (b) (6), (b) (7)(C) 2012 to the present.
8. Copies of all employee handbooks in effect from (b) (6), (b) (7)(C) 2012 to the present.
9. Copies of all employer 's policies and procedures including but not limited to policies and procedure relating to employee parking at the employer's facility, employees punching in and out, issuance of discipline, shortages of the cash drawer and meals for employees that were in effect from (b) (6), (b) (7)(C) 2012 to the present.
10. Copies of the surveillance footage from the surveillance cameras overlooking the front registers on (b) (6), (b) (7)(C) 2014 between (b) (6), (b) (7)(C)
11. Copies of all time records showing the time employees punched in and out as well as the corresponding work schedules for the time period of November 1, 2014 to the present.

**Additional Evidence:**

- It has been alleged that (b) (6), (b) (7)(C) are (b) (6), (b) (7)(C). Please provide your position as to their Section 2(11) supervisory status.
- Please provide a list of the employer's supervisory hierarchy showing the name supervisors, what their title is, who they report to and what shift they work on.
- It has been alleged that the employer maintains an unwritten policy of progressive discipline, please provide a detailed account of the policy.
- It has been alleged that the employer has been requiring employees to pay back in cash any shortages from the cash drawers. Please provide a



October 1, 2014

detailed account of that policy as well as a list of all employees that have been required to make payments to the employer under said policy for the period of (b) (6), (b) (7)(C) 2012 to the present.

**Date for Submitting Evidence:** To resolve this matter as expeditiously as possible, you must provide your evidence and position in this matter by October 10, 2014. If you are willing to allow me to take affidavits, please contact me by October 6, 2014 to schedule a time to take affidavits. Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to **www.nlr.gov**, select **E-File Documents**, enter the **NLRB case number**, and follow the detailed instructions. If I have not received all your evidence by the due date or spoken with you and agreed to another date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Please contact me at your earliest convenience by telephone, (312)353-7584, or e-mail, [helen.gutierrez@nlrb.gov](mailto:helen.gutierrez@nlrb.gov), so that we can discuss how you would like to provide evidence and I can answer any questions you have with regard to the issues in this matter.

Very truly yours,

HELEN I. GUTIERREZ  
Field Attorney

**From:** [Schrand, Jeanette C.](#)  
**To:** [Ohr, Peter S.](#); [Gutierrez, Helen I.](#)  
**Cc:** [Schrand, Jeanette C.](#); [Gianopulos, Kate](#); [Hitterman, Paul](#); [Nelson, Daniel N.](#); [Melecio, Carmen](#)  
**Subject:** RE: Agenda Minutes 13-CA-135932  
**Date:** Friday, October 31, 2014 6:41:20 PM

---

I agree.

Jeanette

----- Original message -----

From: "Ohr, Peter S." <Peter.Ohr@nlrb.gov>  
Date: 10/31/2014 5:24 PM (GMT-06:00)  
To: "Gutierrez, Helen I." <Helen.Gutierrez@nlrb.gov>  
Cc: "Schrand, Jeanette C." <Jeanette.Schrand@nlrb.gov>, "Gianopulos, Kate" <Kate.Gianopulos@nlrb.gov>, "Hitterman, Paul" <Paul.Hitterman@nlrb.gov>, "Nelson, Daniel N." <Daniel.Nelson@nlrb.gov>, "Melecio, Carmen" <Carmen.Melecio@nlrb.gov>  
Subject: Re: Agenda Minutes 13-CA-135932

Agreed

DAW

-----  
Peter Sung Ohr

On Oct 31, 2014, at 5:05 PM, "Gutierrez, Helen I." <[Helen.Gutierrez@nlrb.gov](mailto:Helen.Gutierrez@nlrb.gov)> wrote:

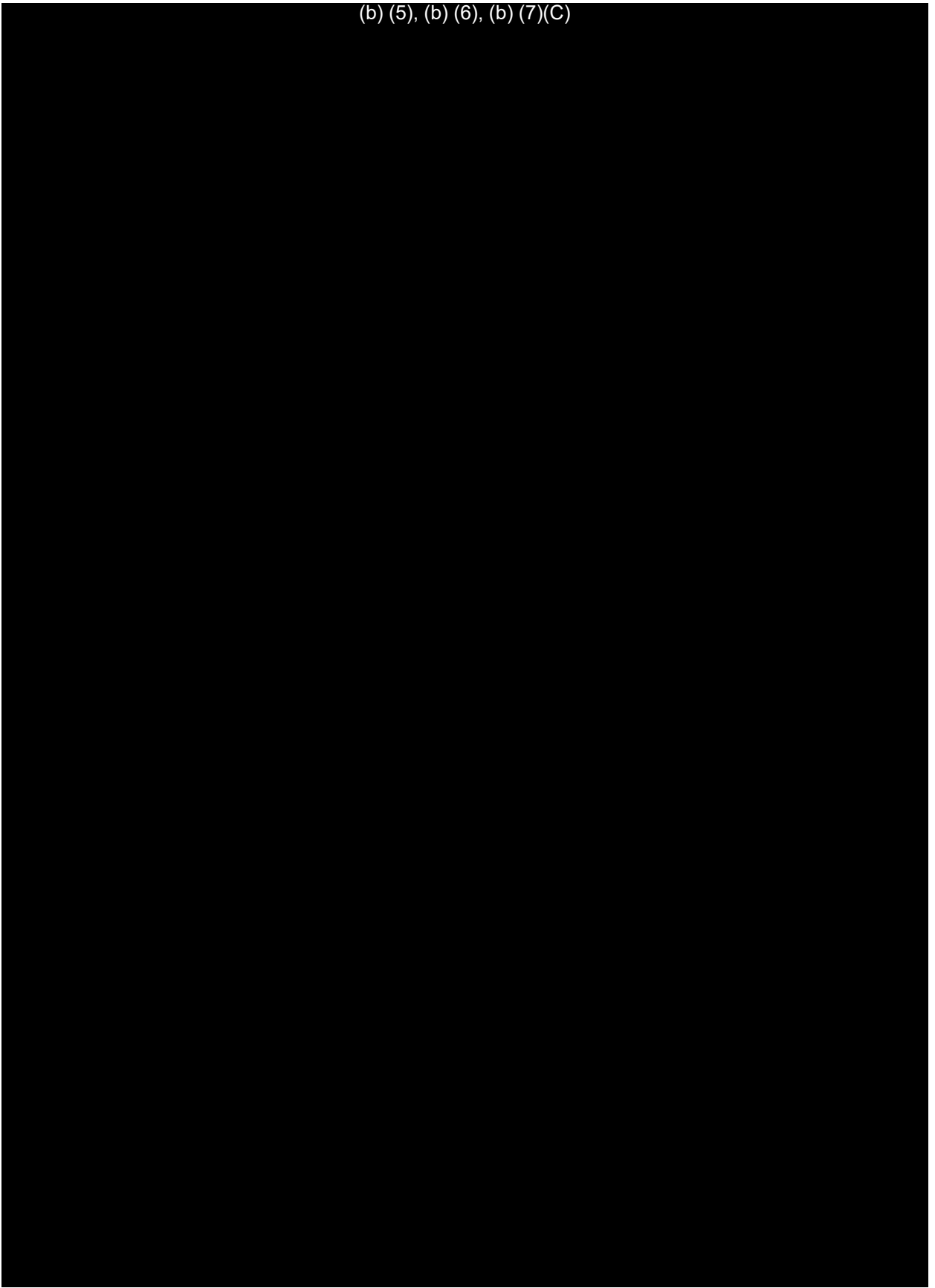
McDonald's  
13-CA-135932

Recommendation: (b) (5)

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

(b) (5), (b) (6), (b) (7)(C)



## ORAL WITHDRAWAL REQUEST FORM

\_\_\_\_\_Adjusted

RE: CASE NAME: 5200 S. Lake Park Ave McDonald's and McDonald's USA, LLC  
Joint Employers  
CASE NO.: 13-CA-135932

On 11/5/14, in a telephone conversation, Barry Bennett  
(Date) (Name)  
informed the undersigned Board Agent that the Charging Party desired to  
withdraw the allegations contained in the above-named charge, and authorized  
withdrawal on an oral basis.

*s/ Helen Gutierrez*  
(Signature of Board Agent)

Withdrawal Request Approved:

\_\_\_\_\_



**NOTE TO FILE**

**Case Name:** 5200 S. Lake Park Avenue McDonald's and McDonald's USA, LLC joint employers

**Case Number:** 13-CB-135932

**RE:** (b) (5)

10/30/14 HG sent email to Bennett (b) (5)

11/2/14 HG called Bennett (b) (5), (b) (6), (b) (7)(C)

Benett stated he would check with his client and get back to me.

11/3/14 Msg from Bennett to call him to discuss

11/4/14 HG called Bennett, Bennet stated that client had authorized him to withdraw charge.



## RECOMMENDATION TO APPROVE ORAL WITHDRAWAL

**Case Name:** 5200 S. Lake Park Avenue McDonald's and McDonald's USA, LLC joint employers  
**Case Number:** 13-CB-135932  
**Supervisor:** Jeanette Schrand  
**Date of Report:** 11/5/14

(b) (5)

After conferring with client, Mr. Bennett verbally agreed to withdraw the charge.

---

I agree, per Agenda determination. -J.Schrand 11-5-14

Withdrawal approved pursuant to agenda's determination. 11-5-14 s/DN (KMG 11-5-14 acting ARD)



MCDONALDS & MCDONALDS USA  
AS JOINT EMPLOYERS

FILE NOTES

13-CA-135932

9/8/14	Left Msg for CP attorney Bennett that I wanted to schedule witness affidavits (b) (6), (b) (7)(C).
9/24/14	Talked to (b) (6), (b) (7)(C), (b) (6), said (b) (6), was (b) (6), (b) (7)(C) and agreed to give affidavit next (b) (6), (b) (6), (b) (7) 14 at the Dunkin Donuts located at 35 <sup>th</sup> and Ashland. (b) (6), (b) (6), gets off work at (b) (6), (b) (7)(C)
9/24/14	Talked to (b) (6), (b) (7)(C) – (b) (6), agreed to give affidavit will check (b) (6), work schedule as (b) (6), has no set schedule, but may be available over the weekend if I come out to (b) (6), (b) (6), (b) (7)(C)
9/28/14	(b) (6), (b) (7)(C) no call no show for affidavit contacted (b) (6), after waiting about a half hour and (b) (6), stated that (b) (6), was not coming and was no longer interested in giving an affidavit
10/1/14	Confirmed with (b) (6), (b) (7)(C) that we will take affidavit at (b) (6), at Dunkin Donuts off the (b) (6), (b) (7)(C)
10/6/14	T-t Bennet he will be going on vacation and Laskam will be taking over for the next two weeks
10/6/14	Call from Laskam – told him I really need him to get (b) (6), (b) (7)(C) in for an affidavit, he will reach out and get back to me
10/16/14	LMG for (b) (6), (b) (7)(C)
10/16/14	Left msg for (b) (6), (b) (7)(C)
10/16/14	Called (b) (6), (b) (7)(C) – phone does not accept incoming calls
10/16/14	Called (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) #s were disconnected
10/16/14	Talked to (b) (6), (b) (7)(C), stated the following

(b) (5), (b) (6), (b) (7)(C)

10/24/14	LM for (b) (6), (b) (7)(C)
----------	----------------------------


10/26/14	Called (b) (5), (b) (7)(C), got messages that Cricket customer was temporarily disconnected
----------	---

10/26/14	Talked to (b) (5), (b) (6), (b) (7)(C)
----------	--

(b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341

November 7, 2014

Doreen S. Davis, Attorney  
Jones Day  
222 East 41st Street  
New York, NY 10017-6702

Michael S. Ferrell, Esq.  
Jones Day  
77 West Wacker Drive, Suite 3500  
Chicago, IL 60601-1692

Gina M. LiVolsi, Esq.  
LaPointe Law, P.C.  
1200 Shermer Road, Suite 310  
Northbrook, IL 60062

Re: 5200 S. Lake Park Avenue McDonald's and  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

Dear Parties:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Daniel N. Nelson*

DANIEL N. NELSON  
Acting Regional Director

cc: Barry M. Bennett, Esq., Attorney at Law  
Dowd, Bloch, Bennett & Cervone  
8 S Michigan Ave., Fl 19  
Chicago, IL 60603-3315

Andrew G. Madsen, Esq.  
Jones Day  
77 W. Wacker Drive, Suite 3500  
Chicago, IL 60601-1701

Workers Organizing  
Committee of Chicago  
850 W Jackson, Ste 275  
Chicago, IL 60607

Joshua Grossman, Esq.  
Jones Day  
222 E 41st Street  
New York, NY 10017-6702

5200 S. Lake Park Avenue McDonald's and - 2 -  
McDonald's USA, LLC joint employers  
Case 13-CA-135932

November 7, 2014

McDonald's  
5220 S. Lake Park Avenue  
Chicago, IL 60615

McDonald's Corp  
2111 McDonald's Dr.  
Oak Brook, IL 60523